

# Exhibit C

**From:** John Herman [mailto:JHerman@rgrdlaw.com]  
**Sent:** Tuesday, June 26, 2018 6:48 PM  
**To:** Lyle Roberts; Frank Richter; Craig Reilly; George Anhang; Rabinovitz, Joshua Z.  
**Cc:** Jim Barz; Kathleen Douglas; Maureen Mueller  
**Subject:** RE: Knurr v. Orbital ATK

Lyle,

We did not ask for documents late. Rather, the Defendants objected to the scope of the Plaintiffs' requests and asked to negotiate the use of search terms and custodians to meet their obligations with regard to certain requests. That process has taken longer than we expected due to Defendants having made insufficient proposals and various delays. That issue was not before the Court yesterday, but we are happy to clarify it when it is.

In terms of a schedule, we had negotiated in good faith the last two schedules, only to have the Defendants dump millions of pages of documents on us without notice immediately after these discussions. These document dumps necessarily change our position and force us to seek broader extensions. You have already said you "cannot agree to move the fact discovery deadline," so there's no further need to discuss. In any event, this is not something – like a discovery dispute – that we can resolve out of court. If, upon viewing the motion, you agree to it, please let us know and we will promptly advise the Court.

Thank you,  
John

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**From:** Lyle Roberts [mailto:Lyle.Roberts@Shearman.com]  
**Sent:** Tuesday, June 26, 2018 3:58 PM  
**To:** Frank Richter; Craig Reilly; George Anhang; Rabinovitz, Joshua Z.  
**Cc:** Jim Barz; John Herman; Kathleen Douglas; Maureen Mueller  
**Subject:** RE: Knurr v. Orbital ATK

Frank -

As set forth in the e-mail string below, the parties reached an agreement on scheduling issues. If you want to try to renegotiate, you are welcome to propose something and we will consider it. But you are not free to simply file anything you want and claim that your meet-and-confer obligations are met. If it is easier to discuss, we are available this afternoon.

Please note that you are continuing to receive documents largely because you asked for documents at the end of the document period and we have been diligently producing them (as detailed in Dan Sachs' communications). I raised this exact issue with the court yesterday and the judge made it clear that he is not going to accept dilatory tactics by either side, including late document requests with an apparent eye to using them as an excuse to buy more time for expert reports, fact discovery, etc.

Best regards,

Lyle

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**From:** Frank Richter [mailto:FRichter@rgrdlaw.com]  
**Sent:** Tuesday, June 26, 2018 2:36 PM

**To:** Lyle Roberts; Craig Reilly; George Anhang; Rabinovitz, Joshua Z.  
**Cc:** Jim Barz; John Herman; Kathleen Douglas; Maureen Mueller  
**Subject:** RE: Knurr v. Orbital ATK

Lyle,

In light of defendants' production of another 1.1 million pages of documents that we received today, which we were not aware of until Dan's letter last evening, we cannot agree to the proposed schedule. Instead, we will be filing a motion today seeking further modification of the schedule, including an extension for fact discovery. For briefing and hearing, we plan to proceed on same schedule as yesterday's motions.

Best,  
 Frank

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**From:** Lyle Roberts [<mailto:Lyle.Roberts@Shearman.com>]  
**Sent:** Tuesday, June 26, 2018 8:00 AM  
**To:** Frank Richter; Craig Reilly; George Anhang; Rabinovitz, Joshua Z.  
**Cc:** Jim Barz; John Herman; Kathleen Douglas; Maureen Mueller  
**Subject:** Re: Knurr v. Orbital ATK

Frank -

Please go ahead.

Regards,

Lyle

On: 25 June 2018 17:44, "Frank Richter" <[FRichter@rgrdlaw.com](mailto:FRichter@rgrdlaw.com)> wrote:

Lyle,  
 It is my understanding from Craig that defendants will agree to the dates set forth in my email below, so long as Plaintiffs agree to July 20 for the continued 30(b)(6) deposition and July 27 for the Larson deposition. We would agree to this compromise. Thus, please confirm our agreement as to the following schedule and we will draft a consent motion to file tomorrow:

Event	Current Schedule (ECF No. 172)	Revised Schedule
Motions to Amend Pleadings as to Class Period or to assert new claims	June 22, 2018	No Change
Plaintiffs' Opening Motion for Class Certification	June 22, 2018	No Change
Defendants' Opposition Motion to Class Certification	July 20, 2018	No Change
Plaintiffs' Expert Designations and Reports	July 6, 2018	July 23, 2018
Defendants' Expert Designations and Reports	July 20, 2018	August 3, 2018
Plaintiffs' Reply Motion for Class Certification	August 17, 2018	No Change

Parties' respective Rebuttal Expert Reports	August 3, 2018	August 17, 2018
Fact Discovery Completion Date	August 8, 2018	No Change
Motions to Amend Pleadings	August 8, 2018	No Change
Completion of Expert Depositions		August 24, 2018
Deadline to File Pretrial Motions	August 24, 2018	August 29, 2018
Oppositions to Pretrial Motions	September 7, 2018	No Change
Replies to Pretrial Motions	September 14, 2018	No Change
Pretrial Motions Hearing	September 21, 2018 @ 9:00 a.m.	No Change
Rule 26(a)(3) Disclosures, exhibit and witness lists, and written stipulation of uncontested facts	October 19, 2018	No Change
Final Pretrial Conference	October 25, 2018 @4:00 p.m.	No Change
Objections to Rule 26(a)(3) Disclosures and Counter-Designations	November 2, 2018	No Change

Best,  
Frank

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**From:** Frank Richter  
**Sent:** Monday, June 25, 2018 1:56 PM  
**To:** 'Lyle Roberts'; Craig Reilly; George Anhang; Rabinovitz, Joshua Z.  
**Cc:** Jim Barz; John Herman; Kathleen Douglas; Maureen Mueller  
**Subject:** RE: Knurr v. Orbital ATK

Lyle,

We believe under the facts here, the Court would grant a motion requesting our proposed dates, including the one-week extension of fact discovery, and we are prepared to file that motion today. In the interests of compromise, however, we would accept your dates for Defendants' experts, rebuttal experts, fact discovery completion, and deadline to file pretrial motions. We cannot accept your proposed dates for Plaintiffs' experts or expert discovery close. As a final effort to reach an agreement, we propose July 23 for Plaintiffs' experts (in between our proposals) and August 24 for expert discovery close (just two days later than your proposal). Please let us know if you agree so we can raise it today before Judge Nachmanoff.

Best,  
Frank

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**From:** Lyle Roberts [<mailto:Lyle.Roberts@Shearman.com>]  
**Sent:** Monday, June 25, 2018 10:35 AM  
**To:** Craig Reilly; George Anhang; Rabinovitz, Joshua Z.  
**Cc:** Jim Barz; John Herman; Kathleen Douglas; Frank Richter; Maureen Mueller  
**Subject:** RE: Knurr v. Orbital ATK

Craig –

Thanks for your e-mail. While Defendants are willing to work cooperatively with Plaintiffs on scheduling, that has to be across the board and not just on items that largely benefit Plaintiffs (i.e., extending out the date for Plaintiffs' expert designation and report). We are thinking specifically of deposition scheduling, where Plaintiffs have attempted to insist on certain dates no matter the actual availability of the witnesses. An agreement on a new schedule needs to include an

agreement to accept Defendants' reasonable (and well within the discovery deadline) proposed deposition dates for the completion of the 30(b)(6) deposition and Mr. Larson and to work cooperatively with Defendants on deposition scheduling issues going forward, including the scheduling of third party depositions.

Re your proposed schedule below, we believe that Judge Ellis has made it abundantly clear that he will not accept changes to the overall fact discovery period. So we cannot agree to move the fact discovery deadline. That said, and in a spirit of compromise, we will agree to move the expert deadlines two weeks forward. That would leave us, I believe, with the following deadlines:

P's expert – July 20  
 D's expert – Aug. 3  
 Rebuttal expert – Aug. 17  
 Expert discovery close – Aug. 22  
 Deadline to file pretrial motions – Aug. 29 (moved slightly for reason described below)

One reason (among others) that we cannot agree to more time is that if the Sept. 21 hearing date is not movable, and we agree with Craig that it is not, we cannot have the expert depositions take place so close to the due date for pretrial motions (i.e., we need to be able to take them into account in fashioning any filings).

In sum, you have proposed a three week extension for your expert designation and report and we have agreed to a two week extension plus an agreement on outstanding deposition dates (and further cooperation on any other deposition dates). We think that is a more than reasonable compromise and hope that you accept it so that we can raise this issue jointly before Judge Nachmanoff today.

Best regards,

Lyle

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**From:** Craig Reilly [<mailto:craig.reilly@ccreillylaw.com>]

**Sent:** Friday, June 22, 2018 3:27 PM

**To:** Lyle Roberts; George Anhang; Rabinovitz, Joshua Z.

**Cc:** Jim Barz; John Herman ([JHerman@rgrdlaw.com](mailto:JHerman@rgrdlaw.com)); Kathleen Douglas; Frank Richter ([FRichter@rgrdlaw.com](mailto:FRichter@rgrdlaw.com)); Maureen Mueller ([MMueller@rgrdlaw.com](mailto:MMueller@rgrdlaw.com))

**Subject:** RE: Knurr v. Orbital ATK

**Importance:** High

Lyle and George (and adding Josh because of the scheduling issues): I have copied into this email a proposed revision of the schedule. We would prefer to do this by agreement, and made more modest proposed changes than we might otherwise make if this were to be contested. I assume you also would prefer to avoid a contested motion. Please consider this, and I will follow up shortly with a call. Thanks, Craig

Event	Current Schedule (ECF No. 172)	Proposed New Dates
Motions to Amend Pleadings as to Class Period or to assert new claims	June 22, 2018	No Change
Plaintiffs' Opening Motion for Class Certification	June 22, 2018	No Change

Defendants' Opposition Motion to Class Certification	<b>July 20, 2018</b>	<b>No Change</b>
Plaintiffs' Expert Designations and Reports	<b>July 6, 2018</b>	<b>July 26, 2018</b>
Defendants' Expert Designations and Reports	<b>July 20, 2018</b>	<b>August 9, 2018</b>
Plaintiffs' Reply Motion for Class Certification	<b>August 17, 2018</b>	<b>No Change</b>
Parties' respective Rebuttal Expert Reports	<b>August 3, 2018</b>	<b>August 23, 2018</b>
Fact Discovery Completion Date	<b>August 8, 2018</b>	<b>August 15, 2018</b>
Motions to Amend Pleadings	<b>August 8, 2018</b>	<b>No Change</b>
Completion of Expert Depositions		<b>August 28, 2018</b>
Deadline to File Pretrial Motions	<b>August 24, 2018</b>	<b>August 31, 2018</b>
Oppositions to Pretrial Motions	<b>September 7, 2018</b>	<b>No Change</b>
Replies to Pretrial Motions	<b>September 14, 2018</b>	<b>No Change</b>
Pretrial Motions Hearing	<b>September 21, 2018 @ 9:00 a.m.</b>	<b>No Change</b>
Rule 26(a)(3) Disclosures, exhibit and witness lists, and written stipulation of uncontested facts	<b>October 19, 2018</b>	<b>No Change</b>
Final Pretrial Conference	<b>October 25, 2018 @4:00 p.m.</b>	<b>No Change</b>
Objections to Rule 26(a)(3) Disclosures and Counter-Designations	<b>November 2, 2018</b>	<b>No Change</b>

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**From:** Craig Reilly  
**Sent:** Friday, June 22, 2018 2:08 PM  
**To:** Lyle Roberts ([Lyle.Roberts@Shearman.com](mailto:Lyle.Roberts@Shearman.com)); George Anhang ([George.Anhang@Shearman.com](mailto:George.Anhang@Shearman.com))  
**Cc:** Jim Barz; John Herman ([JHerman@rgrdlaw.com](mailto:JHerman@rgrdlaw.com)); Kathleen Douglas; Frank Richter ([FRichter@rgrdlaw.com](mailto:FRichter@rgrdlaw.com)); Maureen Mueller ([MMueller@rgrdlaw.com](mailto:MMueller@rgrdlaw.com))  
**Subject:** Knurr v. Orbital ATK

Lyle and George:

To follow up on today's hearing, and in anticipation of Monday's continuation of the hearing, Lead Plaintiff makes the following proposals:

1. **Joint *In Camera* Submission:** I have spoken with the Robbins Geller team, and can arrange for delivery to me on Monday morning, tabbed binders containing the May 11 and May 23 productions made by Defendants. As I am here in Alexandria, I can then drop off those binders at Court by noon. We do not plan to file anything else or even include a cover letter; I would just deliver the binders. Will that work, or do you have something else in mind?
2. **Revised Schedule:** Later today, we will propose some modest extensions of particular dates on the schedule. We are working to limit those changes to events and dates that would not delay the overall schedule for completing pretrial activities. If Defendants agree, we may be able to present that as a consent motion on Monday.
3. **Lead Plaintiff's Motions:** As discussed, Lead Plaintiff intends to file the several discovery motions I identified in court. We propose to file our motions on Monday (but perhaps not by 5 pm because of the 3:30 pm hearing). Oppositions would be due Friday, June 29 (not necessarily by 5 pm, either). Replies would be due July 3. And the hearing would be July 6. If we agree, we still need to have Judge Nachmanoff approve this briefing schedule.
4. **Class Certification Motion:** We will file this afternoon, as currently scheduled, and we expect to stay with the current schedule (opposition due July 20; reply due Aug. 17). We may need to set a hearing date, however. Please give some thought to a good date for that hearing, and we can discuss it further on Monday; then, Lead Plaintiff will file a notice of hearing.

I will call to follow up on the email. If you have any questions, please let me know.

Craig

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